

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION

Re: Thomas T Norsworthy and  
Rebecca H Norsworthy, Debtors

Case No. 3:19-bk-11116J  
Chapter 7

**APPLICATION TO EMPLOY AUCTIONEER**

Comes now Hamilton M. Mitchell, Trustee, and for his Application to Employ Auctioneer, states and alleges as follows:

1. The Debtors commenced the bankruptcy case by filing a voluntary Chapter 7 petition on February 28, 2019.
2. The Trustee is the Chapter 7 Trustee in the bankruptcy case.
3. The property of the estate includes, but is not limited to, certain realty and improvements commonly known as 1402 E. Poplar Avenue, Wynne, Cross County, Arkansas (Tax Parcel #900-04128-000).
4. The sale of the foregoing property would best be conducted by auction to provide the highest benefit to the creditors of the estate.
5. Applicant believes it would be in the best interest of the estate to employ Brad Wooley of Brad H. Wooley Auctioneers, Inc., an auctioneer duly bonded in the amount of \$50,000.00 to conduct the sale of said property upon the following terms and conditions:
  - a. Commission - ten percent (10%) buyer's premium to be paid by the successful bidder. Or, ten percent (10%) of the gross sale proceeds; and
  - b. Actual and necessary expenses.
6. Assets in addition to the items listed above may be located by the Trustee. If so, the Trustee requests authority for the auctioneer to sell the additional assets as well.

WHEREFORE, the Chapter 7 Trustee prays that this Court enters an Order authorizing the

employment of Brad Wooley of Brad H. Wooley Auctioneers, Inc., as auctioneers for the estate and for all other appropriate relief which the estate may be entitled.

DATE April 23, 2019

Respectfully Submitted,  
Hamilton M. Mitchell, Trustee

By: /s/ Hamilton Moses Mitchell, Attorney  
Hamilton Moses Mitchell, Attorney  
Rice & Associates, P.A.  
523 S. Louisiana, #300  
Little Rock, AR 72201  
501-374-1019  
[office523b@comcast.net](mailto:office523b@comcast.net)

**CERTIFICATE OF NOTICE**

I, Hamilton Moses Mitchell, hereby certify that on today's date, I electronically filed the foregoing Application with the Clerk of the Bankruptcy Court using the CMF\ECF system, which shall send notification of the filing to all parties that are entitled to receive notice in these proceedings.

DATE            April 23, 2019

/s/ Hamilton Moses Mitchell, Attorney  
Hamilton Moses Mitchell, Attorney

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AFFIDAVIT OF DISINTERESTEDNESS

I, Brad Wooley, after being solemnly sworn, states as follows:

1. That I am a duly licensed and insured auctioneer competent to conduct an auction as proposed by the trustee in his/her Application to Employ Auctioneer.

2. That I am a disinterested person within the meaning of 11 U.S.C. §101 (14), not employed by or connected with or representing any interest adverse to the Debtor, creditors, or any part in interest, their respective attorneys and accountants, the United States Trustees, or any person employed in the Office of the United States Trustees.

3. That I hereby certify that neither I nor any of my insiders will directly or indirectly bid on or acquire any interest in the estate property to be sold. I further certify that I have made no arrangements with the trustee or his attorney other than selling the items auctioned for the highest bid prices except for any items upon which the trustee may have placed a reserved minimum price with respect to any item or items offered for sale.

4. That I am properly bonded in the amount of \$50,000.00, and that a copy of my bond is on file with the United States Trustee's Office for the Eastern/Western Districts of Arkansas.

The undersigned declares under penalty of perjury that the foregoing is true and correct.

DATE April 23, 2019

/s/ Brad Wooley, Auctioneer

STATE OF ARKANSAS )  
)SS  
COUNTY OF PULASKI )

Subscribed and sworn to before me, a Notary Public, on today's date.

/s/ Donna Poullos April 23, 2019  
NOTARY PUBLIC

My Commission Expires: July 11, 2026